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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 07-60399-CIV-ALTONAGA/TURNOFF

SPIRIT AIRLINES, INC.,

Plaintiff,

v.

24/7 REAL MEDIA, INC., ADVERTISING.COM, INC., AMERICA ONLINE, INC. d/b/a AOL, BURST MEDIA CORPORATION, CARROLLTON BANK, CHEAPFLIGHTS (USA), INC., ECHO TARGET, INC., HOTWIRE, INC., INTERCEPT INTERACTIVE, INC., PRICELINE.COM, LLC, RACKSPACE, LTD., SHERMANS TRAVEL, INC., SIDESTEP, INC., SMARTER LIVING, INC., SPECIFICMEDIA, INC., TRAVEL MARKETING GROUP, INC., TRAVELZOO, INC., TRIBAL FUSION, INC., TRIPADVISOR, LLC, VALUECLICK, INC. and THE WEATHER CHANNEL INTERACTIVE, INC., and all other persons or entities unknown claiming any right, title or interest to the funds described in the Complaint herein,

Defendants.
____/

DEFENDANT PRICELINE.COM, LLC'S
UNOPPOSED MOTION FOR ENLARGEMENT OF TIME

Defendant Priceline.com, LLC ("Priceline") moves, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, for an enlargement of time in which to respond to the Complaint filed by Plaintiff Sprit Airlines, Inc. ("Spirit"). The grounds for this motion are:

1. Priceline was served with a copy of the Summons and Complaint via personal service on its registered agent, on or about April 5, 2007.

2. Under the applicable Federal Rules of Civil Procedure, Priceline's response to the Complaint would have been due on or about April 25, 2007.

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3. Undersigned counsel has only just been retained to represent Priceline in this matter. Due to the press of other litigation, together with the need to obtain and review files and consult with Priceline, undersigned counsel will not have sufficient time to adequately prepare the response to the Complaint within the applicable time.

4. Accordingly, Priceline respectfully requests an enlargement of time of thirty (30) days, up to and including May 25, 2007, in which to respond, by motion or otherwise, to the Complaint.

5. This motion is not filed for purposes of delay and no party will be prejudiced by the granting of this brief enlargement of time.

6. Priceline has not previously sought an enlargement of time with respect to its response to the Complaint.

7. Plaintiff's counsel has been contacted concerning this request, and has agreed to the granting of the enlargement of time.

8. Pursuant to S.D. Fla. Local Rule 7.1(A)(2), attached hereto as Exhibit "1" is a proposed Order.

MEMORANDUM OF LAW

This Court has authority to grant an enlargement of time for good cause under Rule 6(b), Federal Rules of Civil Procedure. In the circumstances elaborated, good cause has been shown for the requested enlargement, which will not result in prejudice to any party. As stated in Moore's Federal Practice, § 6.08, at 6-84-88: "In accordance with the mandate of Rule 1, that the Rules should be construed to secure the just, speedy and inexpensive determination of every action, the courts generally have given Rule 6(b) a liberal interpretation in order to work substantial justice." See also Hoffman v. Kennedy, 30 F.R.D. 50, 51 (E.D. Pa. 1962). In the aforementioned circumstances, good cause has been shown. Accordingly, this Court should grant the motion for an enlargement of time.

WHEREFORE, good cause having been shown, Defendant Priceline.com, LLC respectfully requests that the Court grant this motion and enter an order enlarging the time in which it may respond to the Complaint, together with such other and further relief as the Court deems just and equitable.

LOCAL RULE 7.1(A)(3) CERTIFICATION

Pursuant to S.D. Fla. Local Rule 7.1(A)(3), counsel for Priceline certify that they have conferred with counsel for Plaintiff Spirit Airlines, Inc. with respect to the relief requested, and states that counsel for Plaintiff agrees to the granting of the enlargement of time.

Respectfully, submitted,

By: *s/ Steven M. Ebner*
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COUNSEL FOR PRICELINE.COM, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 24, 2007, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following: Anthony J. Carriulo, Berger Singerman, 350 East Las Olas Boulevard, Suite 1000, Ft. Lauderdale, FL, 33301, and Connie A. Lahn and Lara O. Glaesman, Fafinski Mark & Johnson, P.A., Flagship Corporate Center, 775 Prairie Center Drive, Suite 400, Eden Prairie, MN 55344.

s/ Steven M. Ebner
Of Counsel

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